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Notice of Allowability

Application No.

10/694,703

Applicant(s)

CHEN, KO-PO

Examiner

Art Unit

Quang D. Thanh

3764

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an amendment filed on 3/1/06.
2. ☒ The allowed claim(s) is/are 1,4 and 6-9.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

1. This office action is responsive to the amendment filed on 03/01/06. As directed by the amendment: claims 1,4 and 6-9 have been amended; and claims 2-3 and 5 have been cancelled. It is noted that applicant's remark on p. 5 "Claims 1, 4, 6-**10** remain in this application. Claims 1,4, and 6-**10** are amended. Claims 2-3 and 5 are canceled" appears to be incorrect. There is no claim 10 pending. Thus, claims 1, 4 and 6-9 are presently pending in this application.

Drawings

2. The drawings filed on 10/22/2003 have been approved as indicated on the attached "Notice of Draftsperson's Patent Drawing Review," PTO-948.

Allowable Subject Matter

3. Claims 1, 4 and 6-9 are allowed.

4. The following is an examiner's statement of reasons for allowance:

Re claim 1, the closest prior art Nonoue et al. '563 although discloses a horizontal displacement mechanism for causing the massaging rollers to engage in horizontal displacement, it fails to teach or render obvious a horizontal displacement mechanism comprising a drive source, a drive member driven by the drive source, a first connection rod pivoted with the drive member, and a second connection rod pivoted with the first connection rod whereby the second connection rod is fastened at one end between two sides of the rubbing shaft sleeve, wherein the rubbing shaft sleeve of the rubbing mechanism is of an eccentric construction, and the rubbing shaft sleeve is

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further provided with a slide block whereby the slide block is slidably located in a guide slot of the rubbing shaft.

Re claim 6, the closest prior art Nonoue et al. '563 although discloses a horizontal displacement mechanism for causing the massaging rollers to engage in horizontal displacement, it fails to teach or render obvious a horizontal displacement mechanism comprising a drive source, a drive member driven by the drive source, a first connection rod pivoted with the drive member, and a second connection rod pivoted with the first connection rod whereby the second connection rod is fastened at one end between two sides of the rubbing shaft sleeve, wherein the second connection rod of the horizontal displacement mechanism is fastened at one end with a horizontal rod of a link set, and the horizontal rod is further provided at two ends with a triangular link plate, each link plate having a connection hole to fit with the rubbing shaft of the rubbing mechanism, thereby locating the two link plates at two sides of the rubbing shaft sleeve.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang D. Thanh whose telephone number is (571) 272-4982. The examiner can normally be reached on Monday-Thursday & alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Huson can be reached on (571) 272-4887. The Central FAX phone number for the organization where this application or proceeding is assigned is (571) 273-8300 for all communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Quang D. Thanh', with a stylized flourish at the end.

Quang D. Thanh
Patent Examiner
Art Unit 3764
(571) 272-4982